

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

URB, INC.

Plaintiff,

v.

**STARTREHAB, INC., ROBERT
BINGHAM and GREGORY BINGHAM,
individually,**

Defendants.

**PIONEER SERVICES, LLC and 7303
INCORPORATED d/b/a/ STARTREHAB,
INC.**

Third-Party Plaintiffs,

v.

**URB, INC., XEZ, INC. and
ANTHONY URBANOWSKI,**

Third-Party Defendants.

Case No. 08 C 582

Judge Joan B. Gottschall

Magistrate Judge Geraldine Soat Brown

JOINT MOTION FOR AN AGREED ORDER

The Plaintiff, Urb, Inc.; Defendants StartRehab, Inc., Robert Bingham, and Gregory Bingham; Third-Party Plaintiffs Pioneer Services, LLC and 7303 Incorporated d/b/a StartRehab, Inc.; and Third-Party Defendants, Urb, Inc., XEZ, Inc. and Anthony Urbanowski (“the Parties”), by and through their respective counsel, jointly move this Court for entry of an agreed order extending discovery 90 days as follows:

1. On May 1, 2008, this Court granted the Parties Joint Motion for an Agreed Order scheduling various dates including issuance of first written discovery, close of fact discovery, etc.

2. Thereafter, Defendants filed their answers and a Third Party Claim was filed as well.

3. Counter-defendants filed a Motion to Dismiss the Third Party Claim pursuant Fed R. Civ. P. Rule 12(b) on May 12, 2008.

4. Pursuant to order of this Court, Counter-Plaintiffs' Response to the Motion to Dismiss is due on June 12, 2008 and Counter-Defendants' Reply on June 26, 2008. The first written discovery requests are due under the current schedule to be served by the Parties on June 13, 2008.

5. The pendency of the motion and briefing schedule, however, means that the claims are not fully at issue and pursuing written discovery at this point would not be time or cost effective for the Parties or for the Court.

6. In addition, the Parties are continuing to discuss and explore the possibility of using a private mediator to resolve this matter.

7. The Parties continue to gather and obtain documents, some of which are agreed by the parties to be important but currently unavailable, to facilitate a mediation session or other means of resolution.

8. In light of the above-stated reasons, the Parties respectfully request that the schedule to conduct discovery be extended 90 days as set forth below:

First set of document requests and interrogatories to be served	September 13, 2008
Motions to amend pleadings or join additional parties shall be filed on or before	January 12, 2009
Fact Discovery Closes	March 16, 2009
Experts Reports Due	April 16, 2009
Rebuttal Expert Reports Due	May 28, 2009
Expert Discovery Close	July 15, 2009
Dispositive Motions Due	August 17, 2009
Trial Begins	Per the Court's order and Schedule

9. The parties request that this Court enter their agreed order, a copy of which is attached hereto as Exhibit A.

DATED: June 9, 2008

URB, INC., XEZ, INC., and ANTHONY
URBANOWSKI

STARTREHAB, GREGORY BINGHAM, &
ROBERT BINGHAM, PIONEER SERVICES,
LLC and 7303 INCORPORATED
d/b/a/STARTREHAB, INC.

By: /s/ Marla R. Shade
Attorney for Plaintiff/Third-Party Defendants

By: /s/ Catherine Simmons-Gill
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EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

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Plaintiff,

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Case No. 08 C 582

Judge Joan B. Gottschall

Magistrate Judge Geraldine Soat Brown

AGREED ORDER

This cause coming on to be heard, all parties having due notice and in agreement, and this Court being first fully advised in the premises,

IT IS HEREBY ORDERED THAT:

1. The Parties shall conduct discovery pursuant to the following schedule:

First set of document requests and interrogatories to be served	September 13, 2008
Motions to amend pleadings or join additional parties shall be filed on or before	January 12, 2009
Fact Discovery Closes	March 16, 2009
Experts Reports Due	April 16, 2009
Rebuttal Expert Reports Due	May 28, 2009
Expert Discovery Close	July 15, 2009
Dispositive Motions Due	August 17, 2009
Trial Begins	Per the Court's order and Schedule

Ordered this ____ day of June, 2008:

URB, INC., XEZ, INC., and ANTHONY
URBANOWSKI

STARTREHAB, GREGORY BINGHAM, &
ROBERT BINGHAM, PIONEER SERVICES,
LLC and 7303 INCORPORATED
d/b/a/STARTREHAB, INC.

By: /s/ Marla R. Shade
Attorney for Plaintiff/Third-Party Defendants

By: /s/ Catherine Simmons-Gill
Attorney for Defendants/Third-Party Plaintiffs

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Enter: JUDGE JOAN B. GOTTSCHALL